IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No. 1728 OF 2007

Office Notes, Office Memorandum of Coram appearances, Court's orders or directions and Registrar's orders :	:	Court's or Judge's orders

Ms. Arfan A & A Sait, advocate for the petitioner.

Mrs. A. S. Pai, APP for respondent.

CORAM : R.M.S. KHANDEPARKAR
AND
Mrs. V.K. TAHILRAMANI, JJ.

DATE : OCTOBER 26, 2007.

P.C.

. Heard the learned advocate for the petitioner and the learned APP. Petitioner was granted bail and asked to furnish surety in the sum of Rs. 5,000/-. The learned advocate for the petitioner states that petitioner requested that amount of surety may be reduced. Hence, the authority reduced amount from Rs.5,000/- to Rs.2,000/-. The learned advocate for the petitioner states that on account of poor financial condition of

the petitioner, he is unable to furnish said amount of surety. It is seen that petitioner has been convicted under S. 302 as well as 376 of Indian Penal Code.

2. In fact the rule lays that minimum cash surety to be furnished is Rs. 10,000/-. Indulgence has already been shown to the petitioner. We do not find case for any indulgence. Hence, Writ Petition is rejected.

3. It is made clear that if the petitioner is ready to furnish the surety, he be released on furnishing surety in the sum of Rs.2,000/- on the above terms and conditions

4. Copy of this order be furnished to the petitioner, who is in Kolhapur Central Prison.

Sd/-
[R.M.S. KHANDEPARKAR, J.]

Sd/-
[Smt. V. K. TAHILRAMANI,J.]